

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4747-1-23

Rule Type: New

Rule Title/Tagline: Code of Ethics.

Agency Name: Ohio Speech and Hearing Professionals Board

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No

A. **What is the rule's five year review date?**

2. **Is this rule the result of recent legislation?** No

3. **What statute is this rule being promulgated under?** 119.03

4. **What statute(s) grant rule writing authority?** 4744.28, 4747.04

5. **What statute(s) does the rule implement or amplify?** 4744.50, 4747.04(B)

6. **What are the reasons for proposing the rule?**

This rule is being proposed as a result of the board consolidation which created the Ohio Speech and Hearing Professionals Board on January 21, 2018. Pursuant to R.C. section 4744.50, the Board must adopt a Code of Ethics for hearing aid dealers, hearing fitters, and trainee permit holders.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule establishes a code of ethics governing the professional conduct of hearing aid dealers, hearing aid fitters, and trainee permit holders. The public purpose of this

rule is to ensure consumer protection by establishing ethical standards that licensees must adhere to when providing professional services to consumers.

- 8. Does the rule incorporate material by reference? No**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

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Not Applicable

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

With regard to the proposed new rule 4747-1-23, e.g., code of ethics, the Board anticipates the following adverse impact from implementation of this provision: cost and time to complete the ethics continuing education requirement. Continuing education is already required for licensees and licensees are able to obtain their continuing education from a multiple to sources that the Board accepts, such as online webinars and in-service professional development provided without cost by employers. While implementation of the code of ethics rule has no direct cost of compliance, the Board is disclosing that this rule has an indirect cost because licensed hearing aid fitters will be required to complete 2 of their 20 hours of continuing education related to ethics every two years.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

15. **Was this rule filed with the Common Sense Initiative Office? Yes**
16. **Does this rule have an adverse impact on business? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

In order to renew a hearing aid fitter license, the license must complete two of the twenty hours of continuing education related to ethics.

- B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes**

Licensees who violate the Code of Ethics will be subject to disciplinary action by the Board, including reprimand, suspension, revocation, probation, denial of application, etc.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? No**